

REMARKS

In the outstanding official action, claims 3 and 10 were rejected under 35 USC 112 as being indefinite due to insufficient antecedent basis for the indicated limitations. In response, claim 3 has been amended to recite "a surface" as suggested in the Action, and claim 10 has been amended to depend from claim 9, thereby providing a proper antecedent basis for the recitation of "said terminal" as "a terminal" is recited in claim 9. In view of the foregoing amendments, it is respectfully submitted that the instant application now fully complies with the requirements of §112.

On the merits, claims 1-4, 10 and 11 were rejected under 35 USC 102(b) as being anticipated by Berge et al, with claims 5-7 and 9 being rejected under 35 USC 103(a) as being unpatentable over Berge in view of Ehrlich et al, for the reasons of record. It is noted that although independent claim 8 is discussed in the Action, and the Summary indicates that claims 1-11 are rejected, no specific rejection of claim 8 is provided in the Action. In order to advance prosecution, the patentability of claim 8 will be discussed in connection with the §102 rejection, but if the instant amendment does not place the application in condition for allowance, it is respectfully requested that the next Action be made non-final in view of the omission of an express rejection of

independent claim 8.

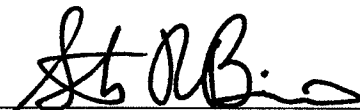
On the merits, it was suggested that the Berge reference teaches means (12) for preventing the interface from an exposure to an external electric field (dielectric chamber; col. 3, line 27) a limitation expressly recited in all of the currently-pending claims. On the contrary, it is respectfully submitted that a careful examination of the cited figures and text of Berge will reveal that the subject matter therein disclosed contains no means for preventing the interface from an exposure to an external electric field. In particular, means 12 in Berge is described in the cited portion of the Berge specification as simply being a "dielectric chamber", with no suggestion that this dielectric chamber is capable of preventing the interface from an exposure to an external electric field. In order to prevent such an exposure to an external electric field, some form of field-blocking mechanism must be present, such as the conductive layer (100) or the Faraday cage (120, 140) disclosed and claimed in the instant application. The mere presence of a dielectric chamber, as in the prior art, would clearly not serve to prevent the interface from an exposure to an external electric field.

This distinction can be clearly seen by an examination of Fig. 3 and the associated description thereof in the instant specification. Fig. 3 shows an embodiment in which a further

container 120 is provided, and it is clearly stated that in such an embodiment the container 120 either comprises a metal body or may comprise a non-conductive material (i.e. a dielectric), in which case the container 120 must further comprise a conductive coating 140 in order to perform the intended function of the invention. Clearly, the mere provision of a dielectric chamber, as in Berge, neither shows nor suggests this important feature of the instant invention, which solves the significant commercial problem of prior-art devices that after a period of time an unintended deformation of the interface can occur, which disturbs the desired optical behavior of the interface.

In view of the foregoing amendments and remarks, it is respectfully submitted that the instant application is now in condition for allowance, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 

Steven R. Biren, Reg. 26,531
Attorney
(914) 333-9630